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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/801.009

03/16/2004

Go Kaneko

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7590

06/27/2006

BAKER BOTTS LLP

C/O INTELLECTUAL PROPERTY DEPARTMENT

THE WARNER, SUITE 1300

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WASHINGTON, DC 20004-2400

EXAMINER

CHIEM, DINH D

ART UNIT

PAPER NUMBER

2883

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/801,009

Applicant(s)

KANEKO ET AL

Examiner

Erin D. Chiem

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

Since this application is eligible for the transitional procedure of 37 CFR 1.129(a), and the fee set forth in 37 CFR 1.17(r) has been timely paid, the finality of the previous Office action is hereby withdrawn pursuant to 37 CFR 1.129(a). Applicant's first submission after final filed on May 16, 2006 has been entered.

Applicant's arguments, see pages 8-11, filed 5/16/06, with respect to claims 1-12 have been fully considered and are persuasive. The rejections of claims 1-12 has been withdrawn.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamekuni et al. (US Patent 5,993,070) in view of Lu et al. (US Patent 6,296,398 B1) and Durrant et al. (US Patent 6,676,299 B1).

Tamekuni teaches an optical connector comprising a long fiber 10, from Figure 2, a short fiber portion applied with metal or carbon coating to reinforce the fiber strength (co. 8, lines 42-46) when the fiber buckles during butt coupling and the ends of the two portions of fiber are exposed. The connector, as taught by Tamekuni, has a main body 4, a clamp portion 5a, 5b, holding the first optical fiber and a cover fixing 4b, the clamp to the main body.

However, Tamekuni does not teach fusion bonding to permanently connect the longitudinal ends of the short portion of the fiber and the long portion of the fiber together. And an adhesive is filled into the opening of the clamp to protect the fusion bonding portion.

Tamekuni teaches that it is not necessary to bond the fibers with fusion bonding or adhesive because the connector provides butting coupling for the purpose of easy installation wherein fusing apparatus is not needed and installation time quickens because one in the art does not need to wait for the UV resin setting to cure (col. 1, lines 29-32 and lines 62-65).

Thus, given the disclosure of Tamekuni's connector coupling method is superior to the prior art, it would have been obvious to one of ordinary skill in art to implement a connector employing fusing and adhesive coupling mean despite the lack of a fully anticipatory embodiment.

Furthermore, Tamekuni does not teach a second connector replica of the first connector wherein an adapter connects the two connectors.

Lu teaches a fiber connector and adapter. In Figure 1, the fiber optic connectors 12 are identical on both sides of the adapters 14 for the purpose of protecting the coupling ends of the fibers from environmental damage.

Durrant discloses a device for connecting optical fibers (see Fig. 7) wherein the longer fiber portion 20 and the shorter fiber portion 60 are spliced together furthermore; the rest of the shorter fiber portion is protected by a flexible protector forming a flexible cable 45. Therefore, the shorter fiber portion has a higher breakage resistance.

Thus, it would have been obvious to one of ordinary skilled in the art modify Tamekuni's connector by having another same connector on the opposite side with an adapter, such as an SC

Art Unit: 2883

adapter which is created for universal application, in between to connect the two connectors together. **The motivation** for providing such a connector/adapter to couple fibers is to protect the coupling ends from environmental damage. Furthermore, as taught by Tamekuni, by protecting the coupling joint with a mechanical cover, fusion and adhesive coupling is no longer necessary. **The motivation** for providing a shorter fiber portion having a higher breakage resistance is: firstly, provide exposed fiber end to be spliced; secondly, the flexible jacket is to protect the rest of the short fiber portion from breakage in long transmission application.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin D. Chiem whose telephone number is (571) 272-3102. The examiner can normally be reached on Monday - Thursday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2883

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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